

Remarks

Claims 1, 3-7, 15, 17-21, and 23 are allowed. Claims 8, 10-14, and 24-32 currently stand rejected. Claims 2, 9, 16, and 22 were canceled previously. Claims 24-32 are canceled herein. Claims 8 and 10-14 are amended herein. Claims 1, 3-8, 10-15, 17-21, and 23 remain pending. The Applicant respectfully traverses the rejections and requests allowance of claims 1, 3-8, 10-15, 17-21, and 23.

Claim Rejection under 35 U.S.C. § 101

Claims 8, 10-14, and 27-29 stand rejected under 345 U.S.C. § 101 as being directed to non-statutory subject matter. (Page 2 of the Office action.) More specifically, the Office action indicates that the claimed software product is not embodied on any type of medium, thus failing to provide a tangible result as required under the *Interim Guidelines of Examining Patent Applications for Patent Subject Matter Eligibility*. (Id.)

In response, claim 8 is amended herein to expressly claim “[a] computer-readable medium having encoded thereon instructions that, when executed by a processor, direct the processor” to perform the method operations similar to those recited in independent method claim 1. Claims 10-14 are similarly amended to depend properly from independent claim 8. Thus, the Applicant contends that amended claims 8 and 10-14 produce a tangible result by providing a tangible medium upon which software instructions are encoded, and such indication is respectfully requested.

Claims 27-29 are canceled herein, thus obviating the rejection as it pertains to these claims.

Thus, in light of the foregoing discussion, the Applicant respectfully requests withdrawal of the 35 U.S.C. § 101 rejection of claims 8, 10-14, and 27-29.

Claim Rejections under 35 U.S.C. § 103

Claims 24-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,325,419 to Connolly et al. (hereinafter “Connolly”) in view of U.S. Patent Application Publication No. 2002/0006811 to Diebolt et al. (hereinafter “Diebolt”). (Page 2 of

the Office action.)

Claims 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Connolly and Diebolt in view of U.S. Patent No. 6,061,570 to Janow. (Page 4 of the Office action.)

In response, claims 24-26 and 30-32 are canceled herein, thus obviating their rejection. In light of these claim cancellations, the Applicant respectfully requests withdrawal of the 35 U.S.C. § 103 rejections of claims 24-26 and 30-32. The Applicant reserves the right to introduce the subject matter of these claims in a continuing application.

Allowable Subject Matter

The Office action indicates that claims 1, 3-7, 15, 17-21, and 23 are allowable. (Page 6 of the Office action.) The Applicant thanks the Examiner for his consideration of these claims.

Conclusion

Based on the above remarks, the Applicant submits that claims 1, 3-8, 10-15, 17-21, and 23 are allowable, and thus respectfully requests their allowance.

The Applicant believes no fees are due with respect to this filing. However, should the Office determine fees are necessary, the Office is hereby authorized to charge Deposit Account No. 21-0765 accordingly.

Respectfully submitted,

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/Kyle J. Way/

SIGNATURE OF PRACTITIONER

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